

GARRETT W. SWENSON, JR.
ATTORNEY AT LAW
76 BAY ROAD
BROOKHAVEN, NEW YORK 11719

TEL. (516) 380-2808
FAX (631) 536-2229

GARRETT.SWENSON@YAHOO.COM

January 20, 2010

Via ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Hartman v. County of Nassau, et al.
Index No. CV04-1784 (ILG) (CLP)

Dear Magistrate Judge Pollak:

Pursuant to your directive, I write to advise of the status of the efforts to locate and deliver Mr. Hansen's Subpoenaes for the four (4) retired Nassau County Police Department personnel in this matter.

Due to security concerns, the effort to locate these retired individuals has been handled by the Legal Bureau of the Nassau County Police Department ("Legal Bureau"). For the same reason, my request for contact numbers and addresses has been declined. The procedure specified by the Legal Bureau requires that they contact the individual first, and I then await a call from the individual. As of 10:00 p.m., I am able to report as follows:

1. Detective George Archer: I spoke with Det. Archer. He is in receipt of the Subpoena mailed to him by the Legal Bureau. He stated that he intends to appear.
2. Detective Robert Giovannettone: I spoke with Det. Giovannettone. He is in receipt of the Subpoena mailed to him by the Legal Bureau. He stated that he intends to appear. He is unavailable during the period February 19, 2010 through April 15, 2010.


3. Lieutenant Carl Schoep: I spoke with Lt. Schoep. He is in receipt of the Subpoena mailed to him by the Legal Bureau. He stated that he intends to appear. He is unavailable during the period February 13, 2010 through February 22, 2010, and from March 1, 2010 through March 15, 2010.

4. Dennis Sharp: I have not yet heard from Mr. Sharp. The Legal Bureau advises me that they have contacted him by phone, and have specifically requested that he contact me directly regarding this matter. They advise that he is currently in Florida, but will be returning to New York. At this point, I am unable to provide further details as to this individual. (I should note that this witness is not listed on the Plaintiff's Pre-Trial Order Witness List. We believe that he formerly served as a Police Officer in the Bureau of Special Operations.)

As soon as I receive further information regarding Mr. Sharp, I will advise both the Court and counsel. (I am assured by the Legal Bureau that efforts continue to reach Mr. Sharp and encourage him to contact me.)

Thank you for your consideration of this submission.

Respectfully submitted,



Garrett W. Swenson, Jr., Esq.

GWS/plm

cc: Daniel J. Hansen, Esq.; via ecf